

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 2, 7 and 25 are currently pending in this application. Claims 1, 3-6, 8-24 and 26-34 are canceled without prejudice. Claim 2 is amended.

Claim Rejections - 35 USC § 103

Claims 2, 7, 8, and 25 are rejected by the Examiner under 35 U.S.C. as being unpatentable over 2002/0068570 to Abrol et al (hereinafter “Abrol”) in view of 2007/0129072 to Yamato et al (hereinafter “Yamato”).

The combination of Abrol and Yamato does not teach “receiving the capability data and configuration data including a listing of base stations that border the first wireless system from the data base on the second wireless subsystem in the first operating mode” as recited in independent claim 2.

Abrol teaches identifying a first and a second radio access network (RAN) and initiating a mobile IP re-registration based on the identification. Abrol also teaches a mobile station sending an update message to a second RAN that includes the unicast access terminal identifiers (UATI) currently assigned to the mobile station. A database of UATI's is shared among RANs connected to the same network and is used to identify which RAN in the network assigned the UATI to the mobile station. While Abrol teaches keeping a database, the database is used to contain UATI's for

RANs of the same network and does not teach, suggest or disclose keeping a database of “base stations that border the first wireless system” by the “second wireless subsystem in the first operating mode.” Accordingly, Abrol does not teach, disclose or suggest the features of independent claim 2.

Yamato fails to cure the defects of Abrol. Yamato involves transmitting radio signals from a radio base station to a radio terminal. Yamato is only cited for teaching calculating the specific latitude-longitude location of a handset. Yamato does not teach the above-argued elements of independent claim 2. Therefore, this combination does not suggest the above-argued elements and for at least this reason the currently pending claims are non-obvious over the combination of Abrol and Yamato, whether taken alone or in combination with one another.

Claims 7 and 25 are dependent upon independent claim 2, and are therefore patentable over the cited references of record for at least the same reasons provided above.

Based on the arguments presented above, withdrawal of the 35 USC § 103 rejection of claims 2, 7, and 25 is respectfully requested.

Applicant: Howard A. Heller
Application No.: 09/871,154

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Howard A. Heller

By /Thomas A. Mattioli/
Thomas A. Mattioli
Registration No. 56,773

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103-4009
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

TAM/MDD/kmc
Enclosure(s) ()